

93<sup>d</sup> CONGRESS  
1<sup>st</sup> SESSION

# H. R. 885

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1973

Mr. PEPPER introduced the following bill; which was referred to the Committee on Government Operations

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## A BILL

To provide that meetings of Government agencies shall be open to the public, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That (a) except as provided in subsection (b), all meet-  
4       ings (including meetings to conduct hearings) of any Gov-  
5       ernment agency at which any official action is considered  
6       or discussed shall be open to the public.

7       (b) Subsection (a) shall not apply to that portion of  
8       any meetings in which the action or proposed action to be  
9       taken, considered, or discussed by an agency—

10               (1) relates to a matter affecting the national secu-  
11       rity,

1           (2) relates solely to the internal management of  
2       such agency,

3           (3) might tend to reflect adversely on the character  
4       or reputation of any individual who is subject to any pro-  
5       posed or potential sanction by such agency, or

6           (4) might divulge matters required to be kept con-  
7       fidential under (specified statutory provisions) :

8       *Provided*, That this subsection does not authorize closed  
9       meetings or the withholding of information from the public  
10      except as specifically stated in this subsection, and is not  
11      authority to withhold information from Congress.

12           (c) Each agency subject to the requirements of this sec-  
13      tion shall, within one hundred and eighty days after the  
14      effective date of this Act, establish through publication in  
15      the Federal Register procedures for providing public notice  
16      of meetings required by this section to be open to the public.  
17      Such notice shall be given as far in advance of such meetings  
18      as is practicable, in order to facilitate attendance of such meet-  
19      ings by persons desirous of doing so.

20           SEC. 2. Minutes shall promptly be made of each meet-  
21      ing which is open to the public pursuant to the provisions of  
22      this Act and copies of such transcript shall promptly be made  
23      available for public inspections and copying.

24           SEC. 3. The district courts of the United States shall  
25      have original jurisdiction of actions to render declaratory

1 judgments or to enforce, by injunction or otherwise, this  
2 Act. Such actions may be brought by any person in the dis-  
3 trict where such person resides, or has his principal place of  
4 business, or where the agency whose action is complained of  
5 resides.

6 SEC. 4. DEFINITIONS.—For the purpose of this Act—

7 (1) “Government agency” means each authority of  
8 the Government of the United States (whether or not it  
9 is within or subject to review by another Government  
10 agency) having more than one member, but does not  
11 include—

12 (a) the Congress

13 (b) the courts of the United States

14 (c) military authorities.

15 (2) “person” includes an individual, partnership,  
16 corporation, association, a public or private organization  
17 other than an agency.

18 SEC. 5. This Act shall take effect on the ninetieth day  
19 after the date of its enactment.

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By Mr. PEPPER

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